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EXAMINER

TEAM-EXAM SIX

ART UNIT

PAPER NUMBER

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564172.12

2413

DATE MAILED:

01/12/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 10/11/94 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-36 are pending in the application.

Of the above, claims 9-34 are withdrawn from consideration.

2. ☐ Claims have been cancelled.

3. ☐ Claims are allowed.

4. ☒ Claims 1-8, 35, 36 are rejected.

5. ☐ Claims are objected to.

6. ☐ Claims are subject to restriction or election requirement.

7. ☐ This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on . Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on , has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed , has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. ; filed on .

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

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Part III DETAILED ACTION

1. This application has been examined by a team of three Examiners as part of a pilot team-examining program within the U.S. Patent Office.

2. Applicant's arguments filed 10/11/94 have been fully considered but they are not deemed to be persuasive.

In the remarks, applicant has argued in substance that, controlling of condition information so as to be copied from the second memory means to first memory means such that a signal is continuously input under the same condition is not disclosed by Sasaki et al.

In the reply examiner states that, Sasaki does show condition information copied from the second memory 15 (fig. 11) to the first memory 95. However, this first memory is in reproduction unit, examiner has relied on another prior art of Kobayashi et al. to show that, recording and reproducing circuit for recording and reproducing additional information such as an operation characteristic of camera onto or from the optical disk apparatus (second memory).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section

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102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

4. Claims 1-3, 5-8, 35-36 are rejected under 35 U.S.C. § 102¹⁰³(b) as being anticipated by Sasaki et al. U.S. Patent 5,034,804, in view of Kobayashi et al. U.S. Patent 5,274,457.

As to claims 1 and 35, Sasaki shows (fig. 1, 2, 6A, 6B, 9B and 9E; col. 6, line 11 to col. 9, line 35) an imaging apparatus, comprising; image pickup means 26, first memory 316 capable of storing an image signal output from the image pickup means and condition information from WB sensor 17 and exposure sensor 19 color separation/gamma/WB circuit 272 representing a condition in which the image signal is picked up by the imaging means, second memory means a memory card 15 capable of storing the image signal outputted from the image pickup means and the condition information. The second memory being detachably attached to the apparatus. Control means CPU 241 for controlling the condition information so as to transferred between the first memory and

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second memory via memory interface circuit 317. Sasaki also shows in fig. 11 and col. 9, line 40 to col. 10, line 35 a reproduction of data by controlling the condition information, with stored image data to be transferred from second memory 15 to the first memory 95, which also stores image signal output from the image pick up means and stored in the second memory. However, transferring additional information such as an operational characteristics of the camera onto or from the optical disk camera, which is a second memory (see abstract), in a similar art of digital electronic still camera having removable record means is shown by Kobayashi. It would have been obvious to one of ordinary skill in the art at the time of the invention, to include the transferring additional information such as an operational characteristics of the camera onto or from the optical disk camera, which is a second memory as shown by Kobayashi, in the CPU 241 of Sasaki, so that the conditional information can be copied from the second memory to the first memory, to provide additional freedom of transferring data stored in the memory.

As to claims 5, and 36 Sasaki in view of Kobayashi meets all the limitations of claims 5 and 36 as shown above. Further, Sasaki shows a CPU 241 and a signal processing circuit 311 for performing a predetermined processing on the image signal on the basis of the condition information received from WB sensor 17,

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exposure sensor 19 by CPU 241 and color separation/gamma/WB circuit 272, which are stored in the memory 15, Kobayashi shows method of transferring these information from the second memory 15 to the first memory.

As to claim 6, Sasaki in view of Kobayashi meets all the limitations of claim 6 as shown above. Further, Sasaki shows second memory means stores an image signal outputted from the signal processing means in fig. 9E, where among the stored information, image data, WB data, exposure value, and shutter speed value is stored.

As to claim 7, Sasaki in view of Kobayashi meets all the limitations of claim 7 as shown above. Further, Sasaki shows CPU 241 and signal processing circuit 311 as a signal processing means for performing a processing on the image signal on the basis of condition information representing the condition in which the image signal is picked up by the image pick up means, from WB sensor 17 and exposure sensor 19. First and second memory means 316 and 15 being capable of storing condition information. Control means CPU 241 and memory interface 317 for controlling the condition information so as to transferred between first and second memory, control means includes switching means for switching the operation of the control means between a plurality of operation mode selected by mode switch 12, Kobayashi shows

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method of transferring these information from the second memory 15 to the first memory.

As to claims 2,3 and 8, Sasaki in view of Kobayashi meets all the limitations of claims 2,3 and 8 as shown above. Sasaki shows that when second memory is attached to the apparatus, control means 241 a CPU and memory interface circuit 317 transfers the condition information from the first memory to second memory as further shown in fig. 10. And while reproducing data as shown in fig. 11 and col. 9, line 40 to col. 10, line 35; luminance data is read out from the memory card 15(second memory) and stored in frame memory 95 (first memory). It is clear that WB data is also read out from the second memory along with luminance data as described, as WB data is also stored in the second memory as shown in fig. 9E. However, Sasaki shows that at the time of reproduction the image data and condition information (clearly including WB data) is transferred from second memory to the first memory, and Sasaki is silent regarding transferring such data when the second memory is detached from the apparatus. It would have been obvious to one of ordinary skill in the art at the time of invention in the imaging apparatus, to transfer the condition information data including luminance data and WB data from the second memory to the first memory when the second memory is detached from the apparatus, that will save time for the operator

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of the device to develop new WB and luminance data and use the stored WB data and luminance data already created by the device and stored in the second memory, to be stored back in the first memory when the second memory is detached from the apparatus.

5. Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over Sasaki in view of Nakane et al. U.S. Patent 5,086,345.

As to claim 4, Sasaki meets all the limitations of claim 4 as shown above. Further, Sasaki shows that second memory means includes a memory card 15, which consists of RAM memory, and does not show second memory includes a magnetic disk. Memory means including magnetic disk is well known in the art as shown by Nakane et al. Nakane shows in fig. 1, item 1 a magnetic disk (see col. 3, line 57). It would have been obvious to one of ordinary skill in the art at the time of invention in the imaging apparatus, to include the second memory including a magnetic disk as shown by Nakane in the apparatus of Sasaki, to provide an alternate second memory including magnetic disk.

6. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

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A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

7. The examiners responsible for this communication are Bipin Shalwala, Jon Chang, and Larry J. Prikockis.

Any inquiry concerning this communication or earlier communications from the examining team should be directed to the lead examiner, Bipin Shalwala, whose telephone number is (703) 305-4938. The Lead Examiner can normally be reached on Monday through Thursday from 7:30 am to 4:00 pm. The Lead Examiner can also be reached on alternate Fridays.

If attempts to reach the lead examiner by telephone are unsuccessful, Larry J. Prikockis may be reached at (703) 305-4791, and Jon Chang may be reached at (703) 305-8439. The team supervisor, Michael Razavi, may be reached at (703) 305-4713.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4900. The Group FAX number is (703) 305-9508.

Bipin Shalwala *BS*

Larry J. Prikockis *LP*

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December 29, 1994

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